

# Barking Dogs



## How the Council investigates and solves dog barking complaints



[www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk)

## Introduction

In law a barking dog can be considered a noise nuisance or anti-social behaviour. A dog owner can have legal action taken against them if they don't take steps to solve the problem once they have been informed about it.

## Investigating complaints about barking

The council's dog wardens investigate any complaint about noise nuisance from dogs. They will:

- visit the owner of the dog to find out if there is a valid complaint
- make sure there are no animal welfare related issues (for example - make sure the dog is not in distress for any reason).
- try to establish why the dog is barking and
- offer practical help and advice to reduce the noise.



We will advise the person making the complaint of:

- their rights and the actions they can take
- the information or evidence we will need from them to investigate their complaint further.

Usually, we will ask the complainant to keep a noise diary to help us better understand the problem.

The Council investigates complaints as an independent body. We have a duty to treat all parties fairly, respecting privacy and confidentiality.

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# **1. Advice for those bothered by dog barking**

## **Talk to the dog owner**

If possible, the best thing to do first is to talk to the dog owner. You may find that they are unaware the dog is disturbing you. Before you approach your neighbour plan what you are going to say. Keep calm and be pleasant – then they will be more likely to respond positively to your complaint.

Never approach the dog owner when the noise is actually happening. You are more likely to be angry and have an argument with them.

If you feel wary of approaching them personally a polite letter may resolve the problem. On occasion, such an approach will result in improvements but, even if it fails, it will help to show that you have acted reasonably if further action becomes necessary.

If the dog owner rents their property you can also talk to their landlord, for example Aspire. Landlords have some responsibility for their tenants and often have tenancy conditions they can enforce.

## **Keep accurate records**

We explain more about the need to keep records of disturbance on page 5. Without your records we may be unable to help.

## **Keep the dog owner informed**

If something has improved tell the dog owner. It will help them confirm what works, and enable them to focus their efforts on the times which cause you the most problems.

## **If excessive barking continues**

Councils have a wide range of powers to act against problem noise and noisy neighbours. Under the law, local authorities have a duty to deal with any noise that they consider a 'statutory nuisance'.

Allowing barking to continue may also be treated as anti-social behaviour and fixed penalties may be issued.

## 2. The law

We will use records provided by the complainant, our own visits and possibly recordings we make to establish if the noise is either a statutory nuisance or whether it amounts to anti-social behaviour.



### Statutory nuisance

If we consider that the barking is a statutory nuisance, or that a statutory nuisance is likely to occur or recur, the law requires us to serve an abatement notice – this is an order to deal with the nuisance.

This may demand that the noise stops altogether or only happens at certain times of the day. A person can appeal against an abatement notice within 21 days of it being served.

If they do not comply with the abatement notice, without a good reason, an offence is committed which may result in action in the magistrates' court. The court can impose a fine but will not award compensation.

The person bothered by the noise can also contact the courts directly and ask magistrates to consider the case without involving the council.

There is more information about abatement notices and court proceedings on the council's website: <https://www.newcastle-staffs.gov.uk/noise>

### Anti-social behaviour

If barking does not cause sufficient disturbance to be considered a statutory nuisance it may still be detrimental to other residents and so judged to be anti-social behaviour.

The council has adopted powers available under the Anti-social Behaviour, Crime and Policing Act, 2014. The three-stage process begins with a written warning from the Council.

A second incident sparks a multi-agency meeting. It can issue a Community Protection Notice outlining specific actions designed to stop further complaints. Breaching this formal notice is an offence and the Council can issue a fine.

For further information see: <https://www.newcastle-staffs.gov.uk/all-services/community/partnerships/anti-social-behaviour>

## 3. Recording problems with noise

### The Noise App

If you own a smartphone you can download the 'Noise App'. You can record noise nuisance using this app. This helps to build a case if you have made a noise complaint. To download go to: <http://noisenuisance.org/the-app/>



### Noise record sheets

The centre pages in this leaflet are a set of noise record sheets which can be removed and completed. They may also be referred to as a 'diary of disturbance'. We recommend that records cover a two-week period.



#### What are the records for?

Record sheets help show:

- The days and times when barking causes annoyance
- How long the barking continues for
- What disruption is caused by the dog barking.

They can be used by Council officers to quickly gauge if there is likely to be a statutory nuisance. If the complaint needs to go to court the records form part of the evidence submitted to the court.

If we don't receive record sheets/record of disturbance or further detailed information from the complainant within eight weeks of the initial complaint we are usually unable to assist further.

## 4. Advice for dog owners

### Talk to your neighbours

We strongly recommend that you try to talk with your neighbours about your dog's barking. Ask them if barking is a problem and if there are any set times when the barking is occurring. Keep calm and be pleasant - they will be more likely to respond positively.

They may be able to tell you how your dog behaves when you are not at home. This may help to quickly solve problems before they escalate. It may take time to reduce the problem barking but by keeping your neighbours informed about what you are doing they will be more understanding.

Think about using a web cam or a video camera to find out what your dog is doing when you're not there. Or try a 'set-up' – pretend you're going out for the day and wait outside the door to see what your dog does. If it starts barking or howling, go back in and tell it firmly to be quiet.

## Why do dogs bark?

There are many reasons. They feel secure within a pack environment and regard their owners as their family group. This is why they can become distressed when they are left alone. Here are some examples:

**Territorial** - Dogs may bark if they are frustrated or when they are defending their territory but should not bark at everything that moves. Training can help them to tell the difference between, for example, people who are allowed in the house and intruders.

**Excitement** - The dog may bark more frequently when it knows it is going for a walk or is going to be fed. These are highlights of the day and the dog barks to express its excitement.

**Loneliness/separation anxiety** - The dog may bark when you leave the house and when you return the barking stops. Your return is consequently rewarding the barking.

**Normality** - Barking may have accidentally been rewarded in the past. The dog may now perceive barking as acceptable behaviour.

Good training combined with affection should prevent your dog from developing bad habits but some dogs may need to see a vet so they can be referred to an animal behaviourist.

## Practical solutions - things to try first

- If you live in a flat or semi-detached house try to keep the dog in rooms furthest away from neighbours
- Don't leave your dog outside barking to be let in
- See if a friend or relative can look after your dog when you go out, or take it with you

### **Your dog is barking for a reason – it's up to you to find out why**

Once you know the reasons for it there are a number of different ways to combat the unwanted barking. The main principle is to distract the dog.

**Limit their territory** - Reduce the area your dog is left in. If the dog is free to roam around the house restrict it to one room, or even its sleeping crate, limiting the area it can defend.

If the dog barks at the postman/delivery man when you are out, leave the dog in a back room or close blinds/curtains so that the dog can't see them or if the dog is kept in the garden, make sure the fence is high and gates are solid so the dog can't see people or other animals. Stay with your dog when it is in the garden.

If the dog barks when visitors arrive, keep the dog calm by using a reassuring voice. Train your dog to fetch a toy and when visitors come ask him to fetch the toy – it's more difficult for the dog to bark if it has hold of the toy.

**Routine** - Your dog will watch your routine and will know when you are going to leave. It may think that it is going for a walk when you go out and so bark with excitement. By changing your routine the dog will not be able to pinpoint when you are leaving.

**Boredom** - The more exercise the better - not necessarily long walks but stimulating walks, lots of smells and places to run. A tired dog barks less.

Toys are a great way of combating boredom. Some toys can be filled with food which the dog will try to retrieve during play (care must be taken not to over feed). There are also toys that promote the dog's puzzle solving skills.



**Being alone** - Some dogs hate being left on their own and can suffer from 'separation anxiety'. But, you need to help your dog get used to being left for different lengths of time and at different times of the day or night. This should mean they won't be so upset every time you leave them.

Try putting the dog in another room for a few minutes alone then slowly build up the amount of time you leave them for - only return to the dog when they are quiet and then give them plenty of praise.

Leave a TV or radio on – some dogs will settle down if they hear a human voice. (Remember, not too loud, you don't want your neighbours to be disturbed by that instead.)

*It is recommended that no dog is left for longer than four hours at any time.*

**It is always best to find out the reason why the dog is barking.** There are, however, other methods which are good at distracting the dog. These are known as a disruptive stimulus:

**Spray collars** - A spray collar works by surprising or distracting the dog and consequently disrupting the barking.



The spray collar is activated when the dog barks. A spray is released in front of the dog's nose which surprises the dog and stops it barking. The dog soon learns that if it barks (when the collar is on) there will be a noise and a smell which is unpleasant (but not painful) for the dog.

The device must never be allowed to run empty as the dog will learn that it can empty it through barking. The spray collar must **not** be left on the dog unsupervised and must only be used after professional advice has been given.

Shock collars work differently and should NEVER be used.

**Pet corrector and similar products** – These are cans of pressurised air that make a hissing sound and should only be used when the dog is barking. Use the 'quiet' command as you use it. The dog should then be praised for being quiet. These products should only be used after professional advice has been given as this method can be very stressful if not used correctly and must never be pointed at the dog's face.



**Speak command** - Speak command: find something that makes your dog bark, such as the doorbell. Straight after the dog barks say your command – for example 'speak', 'talk' and use a hand signal. Reward the dog with treats. Repeat.

**Quiet command** - When the dog is barking find something which stops the barking such as a clap or Pet Corrector. Immediately after the dog stops barking use your quiet command such as 'quiet' or 'stop'. Reward the dog for not barking after the command. Repeat.

**What not to do:**

- Don't shout at your dog, it will think you're joining in and may bark more.
- Do not be aggressive towards your dog or hit or punish your dog.
- Don't get a second dog unless you're sure its going to make your dog feel more secure, not less.

## 5. What is the dog telling you?

No one knows exactly what a dog is trying to express when it barks. It has been the subject of many studies. K9 Magazine suggests:

1. **Continuous rapid barking** at a mid-range pitch: ***“Call the pack! There is a potential problem! Someone is coming into our territory!”***
2. **Barking in rapid strings** with a few pauses at a mid-range pitch: ***“I suspect that there may be a problem or an intruder near our territory. I think that the leader of the pack should look into it.”***
3. **Prolonged or incessant barking**, with moderate to long intervals between each utterance: ***“Is there anybody there? I’m lonely and need companionship.”***
4. **One or two sharp short barks** at a mid-range pitch: ***“Hello there!”***
5. **Single sharp short bark** at a lower mid-range pitch: ***“Stop that!”***
6. **Single sharp short bark** at a higher mid-range: ***“What’s this?”*** or ***“Huh?”***  
This is a startled or surprised sound. If it is repeated two or three times its meaning changes to ***“Come look at this!”*** alerting the pack to a novel event.
7. **Single yelp or very short high-pitched bark**: ***“Ouch!”*** This is in response to a sudden, unexpected pain.
8. **Series of yelps**: ***“I’m hurting!”*** ***“I’m really scared”*** This is in response to severe fear and pain
9. **Stutter-bark** at a mid-range pitch: If a dog’s bark were spelled “ruff,” the stutter-bark would be spelled “ar-ruff.” It means ***“Let’s play!”*** and is used to initiate playing behaviour.
10. **Rising bark** – almost a yelp, though not quite that high: Used during a rough-and-tough tumble play time, it means ***“This is fun!”***

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## Can problems be solved?



About one in four households has one or more dogs, that's about 17,000 dogs within Newcastle-under-Lyme. We receive about 250 complaints about barking each year. They make up just under a third of all noise complaints we receive.

Generally, three out of five complaints are solved informally through residents talking and following Dog Wardens advice.

40 per cent of complaints pass to the Environmental Protection team for further action. Less than 20 abatement notices are issued, and only a fraction of these end up before the courts.

## Your feedback

We'd welcome your comments to help us improve. Tell us more on our website at [www.newcastle-staffs.gov.uk/dogs](http://www.newcastle-staffs.gov.uk/dogs)

## 6. Further Sources of Information

### Dog behavioural advice

You may wish to take advice from your vet about training aids available. There are also a range of local dog training classes. Details are on our web site. [www.newcastle-staffs.gov.uk/dogs](http://www.newcastle-staffs.gov.uk/dogs)

For more information and advice about why your dog barks and what you can do about it contact:

Association of Pet Behaviour Counsellors (APBC)  
PO Box 46  
Worcester WR8 9YS  
Tel: 01386 751151 Web: [www.apbc.org.uk](http://www.apbc.org.uk)  
Send a self addressed envelope for a list of APBC members

More detailed guidance is available at:  
<https://www.gov.uk/government/publications/constant-barking-can-be-avoided-guidance-to-dog-owners>

### Citizens' Advice

Newcastle-under-Lyme Citizens'  
Advice Bureau  
25 Well Street,  
Newcastle under Lyme,  
Staffordshire  
0344 411 1444  
<https://www.citizensadvice.org.uk/>

Kidsgrove Citizens Advice Bureau  
Liverpool Road  
Kidsgrove  
Stoke on Trent  
0344 411 1444  
<http://www.citizensadvice.org.uk/>

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### Borough Council complaints policy

If you consider that borough council officers have not correctly investigated this matter you may ask for their actions to be reviewed. You can do this online at : [relations@newcastle-staffs.gov.uk](mailto:relations@newcastle-staffs.gov.uk) or telephone the Customer Contact Centre on 01782 717717

## Contacting the Council

Keep me handy!

### **Daytime Monday to Friday 9am 5pm**

If you would like to talk to a dog warden, or a member of our Environmental Protection Team for further advice please call 01782 717717.

### **All other times, including public holidays**

Arrangements to visit out of hours will only be made by prior appointment with your case officer.

### **Important!**

If you feel threatened or believe that a criminal act is occurring contact Staffordshire Police on 999 for emergency, or 101 non emergencies.

There is further information on our web site at:

[www.newcastle-staffs.gov.uk/dogs](http://www.newcastle-staffs.gov.uk/dogs)

[www.newcastle-staffs.gov.uk/noise](http://www.newcastle-staffs.gov.uk/noise)

You can also contact our customer services team by visiting the Guildhall or Kidsgrove customer service centres during office hours, calling 01782 717717, or emailing: [customerservices@newcastle-staffs.gov.uk](mailto:customerservices@newcastle-staffs.gov.uk)

### **Data Protection Act Notice**

Newcastle-under-Lyme Borough Council is registered as a data controller under the Data Protection Act 1998. The Council aims to fulfil its obligations under the act to the fullest extent, obtaining, holding, processing and disclosing personal data only in accordance. With the provisions of the Act. The information you provide will be processed for the purpose(s) of assisting the Council in dealing with this matter and any related matters.